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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/675,597	09/29/2000	Eric James	99EC036/77527	9867

24628 7590 01/03/2007		EXAMINER
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606		PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
2614	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

		Application No.	Applicant(s)
Office Action Summary		09/675,597	JAMES ET AL.
		Examiner	Art Unit
		Joseph T. Phan	2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2006*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-26 rejected under 35 U.S.C. 102(e) as being anticipated by Partovi

et al., Patent #6,970,915.

Regarding claim 1, Partovi teaches a method of using voice to access call center

information in a call center comprising the steps of:

connecting an administrator of the call center to a voice response server*(col.4 lines 12-*

40 and col.15 lines 6-17; caller of voice portal/call center is the administrator since the

caller is able to administer what is played to the user); the voice response server

processing telephone requests from the administrator for information about the call

center*(500 Fig.5 and col.7 lines 5-30; caller request information-e.g. request main*

topic/dialect used of voice portal), and the voice response server responding to the

telephone requests by providing information about the call center to the

administrator*(512 of Fig.5, col.5 lines 15-30, and col.15 lines 30-45; information about*

the voice portal/call center-e.g. voice character/dialect of the system is provided to the

caller/administrator).

Regarding claim 2, Partovi teaches the method of claim 1 wherein the step of

connecting further comprises the step of interfacing with a telephony server to receive

telephony input from a remote administrator(col.13 lines 22-28 and col.13 line 63-col.14

line 10).

Regarding claim 3, Partovi teaches the method of claim 1 wherein the step of

connecting to a voice response server further comprises the step of authenticating

users of the voice response server(col.5 lines 25-39).

Regarding claim 4, Partovi teaches the method of claim 3 wherein the step of

authenticating is performed by matching login names with passwords(col.13 line 63-

col.14 line 10).

Regarding claim 5, Partovi teaches the method of claim 1 wherein the step of

processing further comprises translating an administrator's input into a command

recognized by a computer in the call center(col.5 lines 15-50)

Regarding claim 6, Partovi teaches the method of claim 5 wherein the computer

includes an automatic call distributor(200 Fig.2) and call center command server(110 or

160 Fig.2).

Regarding claim 7, Partovi teaches the method of claim 1 wherein the step of

processing adheres to the VoicexML standard processing further comprises the step of

using speech recognition to translate an administrator's input into a command

recognized by a computer in the call center(col.11 lines 6-16 and lines 53-60).

Regarding claim 8, Partovi teaches the method of claim 1 wherein the step of

responding further comprises the step of performing text to speech translation to aurally

present information to administrators(col.11 lines 17-27).

Regarding claim 9, Partovi teaches the method of claim 1 wherein the step of

processing adheres to VoicexML(col.11 lines 53-60).

Regarding claim 10, Partovi teaches the method of claim 1 wherein the step of

processing employs learning to provide a response to the telephone requests(col.5 lines

15-25).

Regarding claim 11, Partovi teaches the method of claim 1 wherein the step of

processing is interrupted by a barge in request(col.7 lines 6-12; bookmark it or shortcut

this is barge in request).

Regarding claim 12, Partovi teaches a system for using voice to access call

center information in a call center comprising:

means for connecting an administrator of the call center to a voice response

server(Fig.2, *col.4 lines 12-40 and col.15 lines 6-17; caller of voice portal/call center is*

the administrator since the caller is able to administer what is played to the user);

means for processing telephone requests from the administrator for information

about the call center*(Fig.2, 500 Fig.5 and col.7 lines 5-30; caller request information-*

e.g. request main topic/dialect used of voice portal), and means for responding to the

telephone requests by providing information about the call center to the

administrator*(512 of Fig.5, col.5 lines 15-30, and col.15 lines 30-45; information about*

the voice portal/call center-e.g. voice character/dialect of the system is provided to the

caller/administrator).

Regarding claim 13, Partovi teaches the system of claim 12 wherein the means

for connecting includes a programmable computer configured to accept telephony

requests(fig.2).

Regarding claim 14, Partovi teaches the system of claim 12 wherein the means

for processing includes a voice response server comprising a programmable

computer(Fig.2).

Regarding claim 15, Partovi teaches the system of claim 12 wherein the means

for responding includes a programmable computer(Fig.2)

Regarding claim 16, Partovi teaches a system for using voice to access call

center information in a call center comprising;

a call manager which accepts information requests from an administrator of the call

center and which provides information about the call center*(200 Fig.2, col.4 lines 12-40*

and col.15 lines 6-17; caller of voice portal/call center is the administrator since the

caller is able to administer what is played to the user);

a VXML interpreter that translates information between-the administrator and call

center, and a network interface that manages transmission and receipt of data between

the VXML interpreter and call center(col.11 lines 53-60, *512 of Fig.5, col.5 lines 15-30,*

and col.15 lines 30-45; information about the voice portal/call center-e.g. voice

character/dialect of the system is provided to the caller/administrator).

Regarding claim 17, Partovi teaches the system of claim 16 wherein the call manager is a programmable computer which interfaces to a telephony server to receive telephone input from a remote administrator(col.13 lines 22-28 and col.13 line 63-col.14 line 10).

Regarding claim 18, Partovi teaches the system of claim 17 wherein the call manager further comprises a telephony interface for receiving telephony input from a remote administrator(col.5 lines 25-39).

Regarding claim 19, Partovi teaches the system of claim 17 wherein the call manager includes a database for authenticating users of the system(col.13 line 63-col.14 line 10).

Regarding claim 20, Partovi teaches the system of claim 17 wherein the call manager includes a translator for performing speech to text conversion(col.7 lines 5-12 and col.11 lines 6-26).

Regarding claim 21, Partovi teaches the system of claim 17 wherein the VoicexML interpreter includes a programmable computer 'for translating telephony requests to VoicexML commands(col.11 lines 53-60).

Regarding claim 22, Partovi teaches the system of claim 17 wherein the VoicexML interpreter includes a translator for rendering VoicexML commands into automatic call distributor commands(col.11 lines 53-60).

Regarding claim 23, Partovi teaches the system of claim 17 wherein the VoicexML interpreter includes a translator for rendering VoicexML commands into call center command server commands(col.11 lines 53-60).

Regarding claim 24, Partovi teaches the system of claim 17 wherein the network

interface includes local area network, Internet, extranet, and wireless network

software(fig.1).

Regarding claim 25, Partovi teaches the system of claim 17 wherein the network

interface includes a programmable computer for translating VoicexML commands into

data packets for a local area network(fig.1 and col.11 lines 53-60).

Regarding claim 26, Partovi teaches the system of claim 17 wherein the network

interface includes computer hardware which retrieves data from a local area network

and translates the data into VoicexML commands(fig.1 and col.11 lines 53-60).

2.   Claims 1-19 and 24 rejected under 35 U.S.C. 102(b) as being anticipated by

Foladare, et al., EP 0903921 A2.

Regarding claim 1, Foladare teaches a method of using voice to access call

center information in a call center comprising the steps of:

connecting an administrator of the call center to a voice response server(col.2 lines 10-

17); the voice response server processing telephone requests from the administrator for

information about the call center(col.2 lines 10-24 or col.4 lines 2-6; *the CSR/admin*

requests to log in for information/prompts/incoming calls about the call center), and the

voice response server responding to the telephone requests by providing information

about the call center to the administrator(col.2 lines 14-24 or col.4 lines 2-6; the *VRU*

prompts CSR for password or other information about the call center).

Regarding claim 2, Foladare teaches the method of claim 1 wherein the step of connecting further comprises the step of interfacing with a telephony server to receive telephony input from a remote administrator(col.7 lines 35-50).

Regarding claim 3, Foladare teaches the method of claim 1 wherein the step of connecting to a voice response server further comprises the step of authenticating users of the voice response server(col.4 lines 1-15 and col.7 lines 35-50).

Regarding claim 4, Foladare teaches the method of claim 3 wherein the step of authenticating is performed by matching login names with passwords(col.7 lines 35-50).

Regarding claim 5, Foladare teaches the method of claim 1 wherein the step of processing further comprises translating an administrator's input into a command recognized by a computer in the call center(col.7 lines 35-50).

Regarding claim 6, Foladare teaches the method of claim 5 wherein the computer includes an automatic call distributor and call center command server(Fig.1)

Regarding claim 7, Foladare teaches the method of claim 1 wherein the step of processing adheres to the VoicexML standard processing further comprises the step of using speech recognition to translate an administrator's input into a command recognized by a computer in the call center(col.3 lines 36-47 and col.8 lines 12-25; Foladare adheres/is compatible to the VoicexML standard).

Regarding claim 8, Foladare teaches the method of claim 1 wherein the step of responding further comprises the step of performing text to speech translation to aurally present information to administrators.

Regarding claim 9, Foladare teaches the method of claim 1 wherein the step of processing adheres to VoicexML.

Regarding claim 10, Foladare teaches the method of claim 1 wherein the step of processing employs learning to provide a response to the telephone requests.

Regarding claim 11, Foladare teaches the method of claim 1 wherein the step of processing is interrupted by a barge in request.

Regarding claim 12, Foladare teaches a system for using voice to access call center information in a call center comprising:

means for connecting an administrator of the call center to a voice response server(fig.1-2 and col.2 lines 10-17);

means for processing telephone requests from the administrator for information about the call center(Fig.1-2 and col.2 lines 10-24 or col.4 lines 2-6; *the CSR/admin requests to log in for information/prompts/incoming calls about the call center),,* and

means for responding to the telephone requests by providing information about the call center to the administrator(Fig.1-2 and col.2 lines 14-24 or col.4 lines 2-6; the *VRU prompts CSR for password or other information about the call center).*

Regarding claim 13, Foladare teaches the system of claim 12 wherein the means for connecting includes a programmable computer configured to accept telephony requests(Fig.1-2 and col.2 lines 14-24 or col.4 lines 2-6).

Regarding claim 14, Foladare teaches the system of claim 12 wherein the means for processing includes a voice response server comprising a programmable computer(Fig.1-2 and col.2 lines 14-24 or col.4 lines 2-6).

Regarding claim 15, Foladare teaches the system of claim 12 wherein the means

for responding includes a programmable computer(Fig.1-2 and col.2 lines 14-24 or col.4

lines 2-6).

Regarding claim 16, Foladare teaches a system for using voice to access call

center information in a call center comprising;

a call manager which accepts information requests from an administrator of the call

center and which provides information about the call center(Fig.1-2 and col.2 lines 14-

24 or col.4 lines 2-6),

a VXML interpreter that translates information between-the administrator and call

center, and a network interface that manages transmission and receipt of data between

the VXML interpreter and call center(Fig.1-2 and col.2 lines 14-24 or col.4 lines 2-6).

Regarding claim 17, Foladare teaches the system of claim 16 wherein the call

manager is a programmable computer which interfaces to a telephony server to receive

telephone input from a remote administrator(Fig.1-2 and col.2 lines 14-24 or col.4 lines

2-6).

Regarding claim 18, Foladare teaches the system of claim 17 wherein the call

manager further comprises a telephony interface for receiving telephony input from a

remote administrator(Fig.1-2 and col.2 lines 14-24 or col.4 lines 2-6).

Regarding claim 19, Foladare teaches the system of claim 17 wherein the call

manager includes a database for authenticating users of the system(Fig.1-2 and col.2

lines 14-24 or col.4 lines 2-6).

Regarding claim 24, Foladare teaches the system of claim 17 wherein the network interface includes local area network, Internet, extranet, and wireless network software(Fig.1-2 and col.2 lines 14-24 or col.4 lines 2-6).

Response to Arguments

3.   Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

4.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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JTP
December 1, 2006

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